FILED

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE DIVISION U.S. DISTRICT.

	_		DIVISION	U.S. DISTRICT COMME	
Dia	na M. Queza	ergue)		U.S. DISTRICT COURT MIBBLE DISTRICT OF TA	
Nam	e of Plaintiff)	Case No.		
v.)	(To be assigned b	y Clerk)	
Alive Hospice Imperial Gardens/Vanguard Interithican Nursing Resource Solutions			, ,		
TN	Pehabilitation e of Defendant(s)	<u>Cent</u>)			
	COMPLAINT UND	ER TITLE VII OF	THE CIVIL RIGH	TS ACT OF 1964	
1.	Rights Act of 1991, for upon the Court by 42	or employment discri U.S.C. § 2000e-5,	imination. Jurisdictions, if the Plaintiff is	Act of 1964, and the Civil on is specifically conferred a federal employee, by 42 e-5(g) and/or 42 U.S.C. §	
2.	Plaintiff, <u>Dia na</u>	M. Quezergue	is a citizen of the Ur	nited States and resides at	
	1213 Will to Street address	imsburg Dri	<i>Ye.</i> , (Henderson ville,	
	<u>Sumner</u> County	\mathcal{I} , \mathcal{I} \mathcal{N}	, <u>37075</u> , Zip Code Te	(615) 419-107/. elephone Number	
3.	(9) Nurs	letab Center ing Resource		rits business is located at	
	Street address (1) 180 (3) 44	of Patterson 5 ob W. Due We o 9th Ave, 5h	t, Nashville; st, Madison, 1 aryna, TN	tys/	
	County (4) 60	use West Ave	Zip Code , Madison, T unt y ed 05/21/12 Page:	\sim	
	> > > > > > > > > > > > > > > > > > >	vidson Co	uny	1 of 0 DocolD #: 1	
	Case 3:12-cv-00513	ther ford the	youanaturz Page:	1 01 8 PageID #: 1	

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			•
Plaintiff sought employm	ent from the Defendan	パ ^ラ t or was employed by	the Defendant at
		2	
Street address / 6 /		City	,
5 C	× × 2	City	
	_ <u> </u>	7. C 1	
Q1			
County	State 2	Zip Code	
County	State 2	zip Code	
,s		•	paragraphs 8 and 9 of
County 5 Defendant discriminated this Complaint on or about	against Plaintiff in the aut (DD ec. 15, 2011; (2)	manner indicated in p Jan. 1946, 2012; (3)	
,s		•	paragraphs 8 and 9 of) Jan. 29, 2012 (4) Year
Defendant discriminated this Complaint on or about Plaintiff filed charges aga	against Plaintiff in the aut <u>الله الله الله الله الله الله الله الل</u>	manner indicated in p Jan. 1946, 2012; (3) Day the Tennessee Human	Year a Rights Commission
Defendant discriminated this Complaint on or about the Plaintiff filed charges aga or the Equal Employment	against Plaintiff in the sut (Dlec. 15, 2011; (2)) Month inst the Defendant with Commiss	manner indicated in p Jan. 19 ⁴⁴ , 2012; (3) Day the Tennessee Humanion charging the Defe	Year Rights Commission ndant with the acts of
Defendant discriminated this Complaint on or about Plaintiff filed charges aga	against Plaintiff in the sut (D) (2015) 2011 (2015) Month inst the Defendant with Copportunity Commission 1 in paragraphs 8 ar	manner indicated in p Jan. 19 ⁴⁴ , 2012; (3) Day the Tennessee Humanion charging the Defe	Year Rights Commission ndant with the acts of
Defendant discriminated this Complaint on or about the Plaintiff filed charges aga or the Equal Employment discrimination indicated	against Plaintiff in the sut (D) (C) (S) 20 (1) (2) Month inst the Defendant with Copportunity Commission in paragraphs 8 ar	manner indicated in p Jan. 1944, 2012; (3) Day the Tennessee Human ion charging the Defend 9 of this Comp	Year Rights Commission ndant with the acts of
Defendant discriminated this Complaint on or about this Complaint on or about Plaintiff filed charges aga or the Equal Employment discrimination indicated March Month	against Plaintiff in the sut Drec. 15, 2011; (2) Month inst the Defendant with Opportunity Commission in paragraphs 8 ar	manner indicated in p Jan. 1946, 2012; (3) Day the Tennessee Human ion charging the Defend 9 of this Comp 2012 Year	Year Rights Commission ndant with the acts of plaint on or about
Defendant discriminated this Complaint on or about this Complaint on or about Plaintiff filed charges aga or the Equal Employment discrimination indicated March Month The Equal Employment O	against Plaintiff in the sut Drec 15,201; (2) Month inst the Defendant with Opportunity Commission Day Dec 15,201; (2) Month Something the properture of the properture	manner indicated in p Jan. 1944, 2012; (3) Day the Tennessee Human ion charging the Defend 9 of this Comp 2012 Year nor the United States I	Year n Rights Commission ndant with the acts of plaint on or about Department of Justice
Defendant discriminated this Complaint on or about this Complaint on or about Plaintiff filed charges aga or the Equal Employment discrimination indicated March Month The Equal Employment Or issued a Notice of Right to	against Plaintiff in the sut Drec. 15, 2011; (2) Month inst the Defendant with Opportunity Commission Day Disportunity Commission Opportunity Commission Opportunity Commission Opportunity Commission Opportunity Commission Opportunity Commission	manner indicated in page 1946, 2012; (3) Day the Tennessee Humanion charging the Defend 9 of this Compage Year nor the United States I red by Plaintiff on	Year A Rights Commission ndant with the acts of plaint on or about Department of Justice Mar L Month
Defendant discriminated this Complaint on or about this Complaint on or about Plaintiff filed charges aga or the Equal Employment discrimination indicated March Month The Equal Employment Coissued a Notice of Right to the Equal Employment Coissued and Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to the Equal Employment Coissued a Notice of Right to	against Plaintiff in the sut Drec 15, 2011; (2) Month inst the Defendant with Opportunity Commission Day Opportunity Commission o Sue which was received 12, a copy of when	manner indicated in page 1946, 2012; (3) Day the Tennessee Humanion charging the Defend 9 of this Compage Year nor the United States I red by Plaintiff on	Year A Rights Commission ndant with the acts of plaint on or about Department of Justice Mar L Month

	a failed to employ Plaintiff.
	bterminated Plaintiff's employment.
	c failed to promote Plaintiff.
	dretaliated against Plaintiff for having filed a charge of discrimination.
	e. v other. Explain: genetic information (education), harassments
	authority abuse; tampering with my application process,
	genetic testings and information; retaliation in reporting
	Program Manager; intimidation from staff workers and
	NRS Co-workers, age; appearance, swift ness.
9.	The circumstances under which Defendant discriminated against Plaintiff were as follows:
	I am a 52 year ald Mack from the from Man 18 deans
	I am a 52 year old black female from New Orleans
	with french and Asian Ancestry (creole culture). Employed
	as an LPN in hopes of earning an honest living in TN.
	Workers questioned me personally and get angrywhen I do not knower their personal questions; blamed for misconduct in workplace, violent, and adjugaddict; and being an abusive nurse, Threateness; hair texture, speech, and
	Hiswer their personal questions; blamed for misconduct in
	workplace, violent, and adjugaddict; and being an
	abusive nurse, Threateness; hair texture, speech, and
	Skin calor difference among Race and culture. Buspicon
	(You may use additional paper, if necessary.) for employment are my Eto C
	cased mishandled and not
10.	The acts set forth in paragraph 8 of this Complaint: Contraent of Too old and too slow for some workers
	aare still being committed by Defendant >
	b are no longer being committed by Defendant.
	c may still be being committed by Defendant.5

Plaintiff attaches to this Complaint a copy of the charges filed with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission, which charges are submitted as a brief statement of the facts supporting this Complaint.
 WHEREFORE, Plaintiff prays that the Court grant the following relief:

a direct that Defendant employ Plaintiff, or	*
b direct that Defendant re-employ Plaintiff,	or
c direct that Defendant promote Plaintiff, or	
d order other equitable or injunctive relief:	?
	•
e direct that Defendant pay Plaintiff back pa	y in the amount of
and interest on back pay;	
f direct that Defendant pay Plaintiff compen	satory damages: Specify
the amount and basis for compensatory damages:	
	·
g direct that Defendant pay Plaintiff punitive	
because Defendant engaged in a	discriminatory practice or
practices with malice or with reckless indifference to Plaintiff's	federally protected rights,
as described in paragraphs 8 and 9 above; and that the Court gran	nt such other relief as may
be appropriate, including costs and attorney's fees.	

(Signature of Plaintiff)

DISMISSAL AND NOTICE OF RIGHTS

5161 Apart	a M. Quezergue Rice Road tment 280 rch, TN 37013	From:	Nashville Area Office 220 Athens Way Suite 350 Nashville, TN 37228		
	On behalf of person(s) aggrieved whose identity is CONFIDENTIAL (29 CFR §1601.7(a))			·	
EEOC Charge	e No. EEOC Representative			Telephone No.	
101 0010 1	Jamila Mims,		1	(04E) 700 7000	
494-2012-0				(615) 736-7263	
THE EEOC	C IS CLOSING ITS FILE ON THIS CHARGE FOR THE				
	The facts alleged in the charge fail to state a claim under ar	ny of the s	tatutes enforced by the EE	OC.	
	Your allegations did not involve a disability as defined by the	e America	ans With Disabilities Act.		
	The Respondent employs less than the required number of	employee	es or is not otherwise cover	ed by the statutes.	
	Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the allege discrimination to file your charge				
X	The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.				
	The EEOC has adopted the findings of the state or local fair	r employn	nent practices agency that i	nvestigated this charge.	
	Other (briefly state)				
	- NOTICE OF SUIT RIGHTS - (See the additional information attached to this form.)				
Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filling suit based on a claim under state law may be different.)					
Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible. On behalf of the Commission MAR 2 3 2012					
Enclosures(s	Sarah L. S Area Office D			(Date Mailed)	

TENNESSEE REHABILITATION CENTER 460 9th Street Smyrna, TN 37167

CC:

DISMISSAL AND NOTICE OF RIGHTS

To: Diana M. Quezergue 5161 Rice Road Apartment 280 Antioch, TN 37013		From:	Nashville Area Office 220 Athens Way Suite 350 Nashville, TN 37228		
]	On behalf of person(s) aggrieved whose identity is CONFIDENTIAL (29 CFR §1601.7(a))	s		
EEOC Ch	narge No.	EEOC Representative			Telephone No.
		Jamila Mims,			
494-201	12-01045	Investigator			(615) 736-7263
THE EE	OC IS CLOS	ING ITS FILE ON THIS CHARGE FOR	THE FOLLO	WING REASON:	
	The facts	alleged in the charge fail to state a claim und	er any of the s	tatutes enforced by the EE	OC.
	Your alleg	ations did not involve a disability as defined	by the America	ns With Disabilities Act.	
	The Resp	ondent employs less than the required numb	er of employee	es or is not otherwise cover	ed by the statutes.
		rge was not timely filed with EEOC; in or tion to file your charge	ther words, yo	ou waited too long after	the date(s) of the alleged
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	The EEO	C has adopted the findings of the state or local	al fair employm	ent practices agency that i	nvestigated this charge.
	Other (brid	efly state)			
- NOTICE OF SUIT RIGHTS - (See the additional information attached to this form.)					
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Enclosure	Sarah L. Smith, (Date Mailed) Area Office Director				

ALIVE HOSPICE 1807 Patterson Street Nashville, TN 37203

CC:

DISMISSAL AND NOTICE OF RIGHTS

To: Diana M. Quezergue 5161 Rice Road Apartment 280 Antioch, TN 37013		From:	Nashville Area Office 220 Athens Way Suite 350 Nashville, TN 37228		
		On behalf of person(s) aggrieved whose idente CONFIDENTIAL (29 CFR §1601.7(a))	ity is		
EEOC Charge No. EEOC Representative					Telephone No.
Jamila Mims,					
494-2012-01047 Investigator				(615) 736-7263	
THE EEC	C IS CLOS	SING ITS FILE ON THIS CHARGE FO	R THE FOLLO	WING REASON:	
	The facts	alleged in the charge fail to state a claim u	under any of the s	tatutes enforced by the EE	EOC.
Your allegations did not involve a disability as defined by the Americans With Disabilities Act.					
	The Resp	oondent employs less than the required nu	mber of employee	es or is not otherwise cover	red by the statutes.
Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alle discrimination to file your charge					the date(s) of the alleged
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The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this				investigated this charge.	
	Other (br	iefly state)			
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		on b	ehalf of the Comm	dission muth o	MAR 2 3 2012
Enclosures	(s)		ah L. Smith, Office Director		(Date Mailed)
cc:		Alea	THOO DIEGIOI		
	IMPERIAL GARDENS				

IMPERIAL GARDENS 306 West Due Ave Madison, TN 37115

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To:	Diana M. Quezergue		
	5161 Rice Road		
	Apartment 280		
	Antioch, TN 37013		

From: Nashville Area Office 220 Athens Way Suite 350

Nashville, TN 37228

	On behalf of person(s) aggrieved whose identity is CONFIDENTIAL (29 CFR §1601.7(a))	
EOC Charge	e No. EEOC Representative	Telephone No.
	Jamila Mims,	
94-2012-0	00789 Investigator	(615) 736-7263
HE EEOC	IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING RE	ASON:
	The facts alleged in the charge fail to state a claim under any of the statutes enfo	orced by the EEOC.
	Your allegations did not involve a disability as defined by the Americans With Dis	sabilities Act.
	The Respondent employs less than the required number of employees or is not	otherwise covered by the statutes.
	Your charge was not timely filed with EEOC; in other words, you waited discrimination to file your charge	too long after the date(s) of the alleged
X	The EEOC issues the following determination: Based upon its investigation, information obtained establishes violations of the statutes. This does not certif the statutes. No finding is made as to any other issues that might be construed	y that the respondent is in compliance with
	The EEOC has adopted the findings of the state or local fair employment practic	es agency that investigated this charge.
	Other (briefly state)	

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

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On behalf of the Complission

MAR 2 3 2012

Enclosures(s)

Sarah L. Smith, Area Office Director (Date Mailed)

cc:

NURSING RESOURCE SOLUTIONS 1908-B Church Street Nashville, TN 37203